

WAIMAKARIRI DISTRICT PLAN REVIEW

MEMORANDUM TO HEARING PANEL

FILE NO AND TRIM NO: DDS-06-10-02-04-01 / 221011175610
DATE: 22 July 2023
MEMO TO: Hearing Commissioners
FROM: Mark Buckley S42A Reporting Officer for Rural Zones
SUBJECT: Amended National Policy Statement on Highly Productive Land

Purpose

Note: The memo was amended on 26 July 2023.

1. The purpose of this memorandum is to respond to the question in paragraph 15 of the Minute 5 – Variation 1, Momentum, Rezoning and NPS-HPL.

2. The minute states:

“(15) The Panel would like to thank Mr Buckley for his memorandum on the NPS-HPL. Having read through the memorandum, the Panel would find it helpful for Mr Buckley to expand on the fourth bullet point in paragraph 43 on what is the Council’s intended approach to addressing submissions relating to the NPS-HPL. The Panel is interested to be advised on how the Council intends to ensure that the NPS-HPL is given effect to across the entire PDP through the hearings process, within the scope of submissions.”

3. The fourth bullet point in paragraph 43 stated:

“Based on the analysis above, I consider that at the time before highly productive land is mapped that the NPS-HPL applies to the PDP in the following ways:

- The NPS HPL does not apply to RLZ if it is determined that the proposed district plan falls within the bounds of clause 3.5.7.*
- The NPS-HPL does apply in relation to the GRUZ Zone and overlays;*
- Irrespective of the applicability of the NPS-HPL; the relevant provisions in the operative RPS will still be required to be given effect to; and*

- *Specific objectives and policies will be addressed in the rural report.*

4. The memorandum will:

- a. Discuss the general approach towards how Council intends to give effect to the NPS-HPL;
- b. Key issues identified in submissions that relate to the NPS-HPL; and
- c. Identify those specific provisions of the plan that will be amended to give effect to the NPS-HPL.

General Approach to NPS-HPL

5. The NPS-HPL came into force on the 17 October 2022. Objective 2.1 of the NPS-HPL is to ensure that sufficient highly productive land (HPL) is available for primary production use, both now and for future generations¹. It requires regional councils to identify and map HPL comprising of spatially large geographically cohesive areas of predominantly Land Use Capability Class (LUC) 1-3 land, with the discretion to include other classes of LUC land, and incorporate HPL maps into the Regional Policy Statement (RPS).
6. No later than two years after the NPS-HPL highly productive land mapping amendment to the RPS becomes operative, territorial authorities must notify changes to objectives, policies and rules in their district plans to give effect to the NPS-HPL. It should be noted that the Regional Council is starting consultation with local authorities in July 2023 on setting criteria for mapping, with a plan to notify a mapping amendment to the RPS in December 2024².
7. In the interim (until a RPS containing HPL maps is made operative), the district council must apply the NPS-HPL when making plan change or resource consent decisions in relation to land that is zoned general rural or rural production and identified as LUC 1-3 land. However, this interim requirement does not apply where land, as at 17 October 2022, had been identified for future urban development, or was subject to a Council initiated or adopted notified plan change to rezone from general rural or rural production to urban or rural lifestyle (Clause 3.5.7).

Clause 3.5.7 *Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must*

¹ Paraphrase of Objective 1

² Email discussion with ECan 27th June 2023.

apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

(a) is

(i) zoned general rural or rural production; and

(ii) LUC 1, 2, or 3 land; but

(b) is not:

(i) identified for future urban development; or

(ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

8. Under clause 3.5.7 the NPS-HPL provisions on highly productive land would not apply to the RLZ zone. My position is that based on the plain and ordinary wording of Clause 3.5.7, a district plan review is a plan change (or collection of changes) and that the notified Rural Lifestyle Zone is excluded from the NPS-HPL. Although it should be noted that in notifying this change, the Rural Lifestyle Zone in the PDP was made in advance of the NPS-HPL and therefore it was not decision cognisant of the final NPS-HPL. Despite this, I note that the RLZ in the PDP was prepared under the rural lifestyle zone descriptor in the National Planning Standards.

9. A provisional timetable between the PDP and the review of the RPS is below:

Date	PDP	CRPS – Plan Change
July 2023	Memo advice	Starting consultation with councils and initial mapping of HPL.
October 2023	Rural Zones hearing – can provide update on CRPS consultation – by now there should be an indicative project timeline from ECan	Testing draft visions, environmental and community wellbeing outcomes, and developing options and actions to meet them.
May/June/July 2024	Wrap up hearing – can provide update on CRPS consultation and plan change preparation	Draft Long Term Plan public consultation.

Late 2024	Panel recommendations to Council and Council decision	Hearings
December 2024		RPS plan change notified

PDP Submissions on HPL

10. Appendix 1 contains a list of the submissions that relate to either versatile soils or highly productive land.
11. There are a number of submitters (including Hort NZ, Federated Farmers, Forest and Bird, Christchurch City Council, and Environment Canterbury Regional Council), who want greater application of the versatile soils provisions and the protection of rural production land in accordance with the objectives and policies of RPS.
12. Those that oppose the consideration of versatile soils or highly productive land are generally rural property owners who would like to enable their land to be rezoned to Rural Lifestyle Zone to enable subdivision.
13. In my opinion, the wording of the submissions provide sufficient scope to enable the necessary response to the NPS-HPL to be undertaken now (i.e. ahead of the mapping to be undertaken by the Regional Council) and given sufficient engagement with the Regional Council should not require a variation to the PDP unless the Regional Council HPL mapping includes any proposed RLZ land. These recommended changes can be reviewed and reported on again, once the proposed change to the RPS has been publicly notified at the end of 2023.

Application of NPS-HPL in the Proposed District Plan

14. The requirements of the NPS-HPL will be given effect to in the objectives and policies of SD, RURZ and GRUZ, and the rules for GRUZ.
15. The key resource management issues within the rural areas that need to be addressed are:
 - Managing development within rural areas so that rural production activities are enabled, and ensuring that reverse sensitivity effects of other activities, that can affect the ability for rural productive activities to continue, are minimised.

- Managing development within rural areas to ensure that the fragmentation of land by subdivision and subsequent development does not undermine the ability of land to be available for future generations for rural production.
- Manage effects of activities so that the character of the rural areas and their amenity values can be maintained while recognising the need for rural productive activities to operate within the Zone.
- Addressing any change from rural land use to accommodate expanded areas of Rural Residential Development.

16. The existing objectives of RURZ-O1, RURZ-P2, GRUZ-O1 and GRUZ-P2 restrict land fragmentation within the rural environment.

17. Policy RURZ-P2 recognises the importance of the life supporting capacity of the land for primary production. While not directly referring to HPL or versatile soils, the intent of the policy was to protect the production capacity of the soil.

18. The earthworks chapter includes the assessment of the effects on the life-supporting capacity of the soil in three of the matters of discretion (EW-MD3, EW-MD7 and EW-MD8).

19. New provisions around highly productive land will need to be included in Strategic Directions, Urban Form and Development, and Rural Zones.

20. SD-O4 Rural land – recognises the importance of primary production within the rural zones while limiting incompatible activities. This objective will need to be amended to recognise the importance of HPL within the district in line with NPS-HPL Policy 1.

21. Urban Form and Development will need to include a consideration of versatile soils for the identification/location and extension of Residential Areas and Large Lot Residential Zone areas (UFD-P2 and UFD-P3) to recognise the importance of HPL when considering any new potential LLRZ areas (NPS-HPL Policy 5). The policies do not presently consider HPL when identifying new urban development areas.

22. Objective RURZ-O1 may be amended to recognise that the district contains a significant proportion of LUC class 1 to 3 soils (approximately 45% of the District), and Canterbury (approximately 12% of the region's soils) at a national level compared to other regions (Table 1) (NPS-HPL Policy 4).

Region	Hectares			Percent		
	LUC1-3 Area Not Already in S-Map	LUC1-3 Area Already in S-Map	Total LUC 1-3 Area	% Share of National LUC1-3 resource	% Share of LUC 1-3 Not Already in S-Map	% Share of LUC 1-3 Already in S-Map
Auckland Region	61,922	60,885	122,807	3.21%	50.4%	49.6%
Bay of Plenty Region	3,066	127,955	131,020	3.42%	2.3%	97.7%
Canterbury Region	31,510	806,193	837,703	21.87%	3.8%	96.2%
Gisborne Region	36,834	33,449	70,284	1.84%	52.4%	47.6%
Hawke's Bay Region	2,739	179,036	181,775	4.75%	1.5%	98.5%
Manawatu-Wanganui Region	289,910	101,475	391,385	10.22%	74.1%	25.9%
Marlborough Region	30,476	32,773	63,249	1.65%	48.2%	51.8%
Nelson Region	2,602	-	2,602	0.07%	100.0%	0.0%
Northland Region	126,282	1,424	127,706	3.33%	98.9%	1.1%
Otago Region	68,994	324,527	393,522	10.27%	17.5%	82.5%
Southland Region	80,206	471,441	551,648	14.40%	14.5%	85.5%
Taranaki Region	185,394	-	185,394	4.84%	100.0%	0.0%
Tasman Region	48,493	7,604	56,097	1.46%	86.4%	13.6%
Waikato Region	121,986	452,734	574,720	15.01%	21.2%	78.8%
Wellington Region	39,442	83,154	122,595	3.20%	32.2%	67.8%
West Coast Region	7,554	7,133	14,686	0.38%	51.4%	48.6%
Total Area LUC 1, 2 and 3	1,137,410	2,689,783	3,827,193		29.7%	70.3%

Table 1. Amount of HPL across the regions³.

23. Policy RURZ-P2(2)(a) makes direct reference to maintaining the availability of land and minimising adverse effects on soil and highly productive land. In my opinion the policy needs to be amended to reflect the “avoid/protection-based” policies of the NPS-HPL (Policies 7 and 8).
24. Policy GRUZ-P2 limits subdivision of rural and maintaining it for primary production. This reflects the Policy 7 and the approach in Clause 3.8 of the NPS-HPL where Councils must protect HPL from subdivision unless a number of criteria is met.

Remaining Minute 5 Matters

25. I note that Minute 5 sought a number of other responses from Council, including:
1. An updated hearing schedule in relation to Airport Noise Contour, bird strike and growth related polices by 21 July 2023 (paragraph 10)
 2. A memorandum on more substantive rezonings by Friday 4 August 2023 (paragraphs 13 and 14)
 3. A response related to matters related to the interface between Variation 1 and the PDP by 18 August 2023 (paragraphs 4 and 5)

³ ME Consulting, 2020. National Policy Statement on Highly Productive Land – Cost Benefit Analysis.

26. Given the interrelationship between the matters covered by these responses, Council staff seek leave from the Hearings Panels to compile a single memo addressing these requests cohesively and as a collective set of recommendations (including a confirmed new time table). It is noted that this timeframe will fall in the week before the hearing for Stream 5. It is suggested that this memo can be formally presented at the outset of the Stream 5 hearings with the author available to answer questions. This memo will also address the relocation of the Temporary Activities chapter from Stream 5 as raised by Mr Wilson within the Stream 4 hearing presentation.
27. The Council note that accepting this request will require a corresponding extension to the submitter timeframe response to matter (2) which is currently due on the 18th of August. Council would recommend a corresponding extension of this timeframe until 1 September 2023. I have considered the potential effects of this timeframe extension and do not consider that any parties will be adversely affected by the extension as the timeframe will fall before the due date for s42A reports in relation to Variation 1 and rezoning hearings, and the foreshadowed preliminary advice from officers that the Airport Noise issue should be heard within Stream 10.

Appendix 1 Submissions On Proposed District Plan

Sub Ref	Submitter	Provision	Decision Requested
169.11 ¹	NZPork	SD-O4	Amend SD-O4: Rural Environment <u>Waimakariri District's productive land and versatile soil is retained for primary production, and primary production activities are enabled to ensure that rural communities can thrive, use resources efficiently and contribute positively to the district and national identity and economy.</u>
295.7 ⁴³	Hort NZ	SD-O2	Amend SD-O2: <u>11. that avoids versatile soils and avoids creating incompatible activities on rural zone boundaries.</u>
316.3 ⁵⁶	ECan	SD-O4	Amend SD-O4 to more explicitly provide for the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land. (Support intent of SD-O4. However, policies 5.3.2 and 5.3.12 in the Canterbury Regional Policy Statement set out to safeguard the use of productive soils for primary production. Notes development of a proposed National Policy Statement on Highly Productive Land, may explicitly require the protection of high productive land.)
414.53 ²³	Federated Farmers	SD-O4	Amend SD-O4: " "..." 1. providing for rural production activities, activities that directly support rural production activities and activities reliant on the natural resources of Rural Zones and limit other activities ; <u>2. limit other activities;</u> <u>23. ensuring that within rural areas the establishment and operation of rural production activities are not limited by new incompatible sensitive activities; and</u>

⁴ FS83 Federated Farmers support

⁵ FS47 Hort NZ support

⁶ FS41 Cowley oppose

			<u>4. protecting LUC 1 – 3 class land and other identified versatile soils from subdivision and development in order to maintain the life-supporting capacity of soil.</u>
			Urban Form and Development
295.205	Hort NZ	UFD-P1	Amend UFD-P1 to ensure the life supporting capacity of soils are safeguarded.
414.58 ⁷⁵	Federated Farmers	UFD-P1	Amend UFD-P1 by inserting an additional clause 3: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.206 ⁵	Hort NZ	UFD-P2	Amend UFD-P2 to ensure the life supporting capacity of soils are safeguarded.
316.8 ⁸	ECan	UFD-P2	Amend UFD-P2 to give effect to Chapter 6 in the Canterbury Regional Policy Statement. (To give effect to Policy 5.3.12 of the CRPS, the need to protect highly productive soils should also be considered when assessing any new development areas.)
414.59 ⁹⁵	Federated Farmers	UFD-P2	Amend UFD-P2 by inserting an additional clause 3: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.207 ⁵	Hort NZ	UFD-P3	Amend UFD-P3 to ensure the life supporting capacity of soils are safeguarded.
414.60 ⁴⁵	Federated Farmers	UFD-P3	Amend UFD-P3 by inserting an additional clause (2)(f): <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.208 ⁵	Hort NZ	UFD-P4	Amend UFD-P4 to ensure the life supporting capacity of soils are safeguarded.
414.61 ⁴⁵	Federated Farmers	UFD-P4	Amend UFD-P4 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.209 ⁵	Hort NZ	UFD-P5	Amend UFD-P5 to ensure the life supporting capacity of soils are safeguarded.
414.62 ⁴⁵	Federated Farmers	UFD-P5	Amend UFD-P5 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>

⁷ FS105 ECan support

⁸ FS41 Cowley oppose

⁹ FS105 ECan support

295.210 ⁵	Hort NZ	UFD-P6	Amend UFD-P6 to ensure the life supporting capacity of soils are safeguarded.
414.63 ⁴⁵	Federate Farmers	UFD-P6	UFD-P6 does not need any amendment as the relief in UFD-P2 would cover it.
295.211 ⁵	Hort NZ	UFD-P7	Amend UFD-P7 to ensure the life supporting capacity of soils are safeguarded.
414.64 ⁴⁵	Federated Farmers	UFD-P7	Amend UFD-P7 by inserting an additional sentence: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.212 ⁵	Hort NZ	UFD-P8	Amend UFD-P8 to ensure the life supporting capacity of soils are safeguarded.
414.65 ⁴	Federated Farmers	UFD-P8	Amend UFD-P8: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
295.74	Hort NZ	UFD-P9	Amend UFD-P9 to ensure the life supporting capacity of soils are safeguarded.
414.66 ⁵	Federated Farmers	UFD-P9	Amend UFD-P9: <u>3. Avoid where practicable any development on LUC 1-3 soils.</u>
316.15 ¹⁰	ECan	UFD-P10	Provide clarity regarding what is meant by “new development areas”. Provide recognition for the irreversible loss of productive soils to new development areas which should be avoided unless necessary.
414.67 ¹¹	Federated Farmers	UFD-P10	Amend UFD-P10: <u>3. Minimise reverse sensitivity effects on primary production, including LUC 1-3 soils.</u>
			Rural Zones General Objectives and Policies
295.121	Hort NZ	Introduction: Rural zones	Amend the introduction to the General Objectives and Policies for all Rural Zones Chapter: The Rural Lifestyle Zone, recognises that this area comprises the densest rural settlement pattern in the District. This rural area is defined by its fine grained pattern of settlement and human induced characteristics. The zone provisions retain the focus of the zone by providing for primary production activities and other rural activities, while recognising that the predominant character is derived from

¹⁰ FS41 Cowley oppose

¹¹ FS41 Cowley support in part

			<p>smaller sites. <u>While the sites are smaller than the GRUZ, they are still productive and the majority of the District's horticultural operations are within the RLZ.</u></p> <p>...</p> <p><u>Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. However, the availability of this land is gradually and irreversibly being reduced as a result of urban expansion and fragmentation by rural lifestyle developments. These developments are also causing reverse sensitivity effects and result in existing primary production being vulnerable to complaints. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development.</u></p>
360.20 ¹²¹³	CCC	Introduction	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone, and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
295.125	Hort NZ	RURZ-P2	<p>Amend RURZ-P2:</p> <p>"Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:</p> <ol style="list-style-type: none"> 1. providing <u>enabling</u> for primary production activities; 2. providing for <u>enabling</u> those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where:..."
			General Rural Zone
89.1	John Walker	General	Retain right to subdivide to 4ha for existing owners until they sell. Rezone areas with 4ha blocks not as General Rural Zone.

¹² FS105 ECan support FS47 Hort NZ support, FS118 Fulton Hogan support

¹³ FS41 Cowley oppose

			(Oppose General Rural zoning and removing ability to subdivide 4ha lots, which was planned for retirement, consistent with neighbouring subdivisions. Property will be surrounded by 4ha blocks. This will cause hardship. Eastern areas have more fertile soils than west, but are not in General Rural Zone.)
148.11	Rangiora-Ashley Community Board	General	<p>Oppose 20ha subdivision limit in the General Rural Zone as the size is too small to be economic given water and nitrate restrictions.</p> <p>(Opposes 20ha restriction as insufficient for effective and economic farming. These were introduced in the 1970's for 'lifestylers' and were unsuccessful with results shown around the District, particularly on light stony soils. Amenity decreased and fire hazard from long grass in summer. 4ha was introduced as 'economic units', but many failed and bonds used to ensure compliance and mitigate damage, but this was insufficient and not effective. It would now be impossible to intensive farm on these lots because of nitrate, water and irrigation rules and effluent disposal regulations.)</p>
295.132	Hort NZ	Introduction	<p>Amend General Rural Zone Chapter introduction:</p> <p><u>"The General Rural Zone makes up the majority of the rural area within the District. The focus of the zone is on retaining the productive potential of land to be able to be used for primary production activity and rural activities. Primary production, particularly vegetable growing, depend on the availability of highly productive land to produce food. Land Use Class 1, 2 and 3 soils are significant resource within the District. It is important to recognise the value and benefits associated with the use of Highly Productive Land, and to maintain the availability of Highly Productive Land for primary production for future generations. Highly Productive Land must be protected from inappropriate subdivision, use and development...."</u></p>
281.2	Maurice Newell	General	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
414.189	Federated Farmers	GRUZ-P2	Amend the rural zone boundaries and lot sizes based on soil characteristics. LUC1-3 class land should be protected from smaller lot sizes and lesser quality land may be suited to 4ha lot sizes.
281.3	Maurice Newell	GRUZ-R3	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
414.191	Federated Farmers	GRUZ-R3	<p>Retain GRUZ-R3 as notified.</p> <p>(Support as it provides flexibility for net site area based on previous subdivision with minor exceptions. If concept of subdividing land with lower class soils to 4ha is incorporated into the subdivision standards, it</p>

			could provide for some subdivision in the General Rural Zone that may prevent fragmentation of productive rural land and loss of high class soils.)
281.5	Maurice Newell	GRUZ-R4	Allow applications lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
281.6	Maurice Newell	GRUZ-R41	Allow applications lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
281.7	Maurice Newell	GRUZ-R42	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
			Rural Lifestyle Zone
360.21 ¹⁴¹⁵	CCC	General	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone, and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
148.7	Rangiora – Ashley Community Board	General	Request 1 to 1.5ha blocks near services in Rural Lifestyle Zone as people do not want 4ha for rural lifestyle, and this would be more efficient use of land, protect rural land for agriculture and reduce multiple septic tanks and ground water contamination resulting in a cleaner option consistent with three waters reform. (Opposes provisions to allow 4ha blocks in the eastern part of the District on heavier and largely better soils, and not on the lighter western areas. This is inequitable for land owners in different parts of the district. The Rural Lifestyle Zone 4ha minimum is inefficient and wasteful of viable agricultural land. People wanting rural lifestyle do not want 4ha and 1-1.5ha near services would be more efficient land use protecting rural land for farming/agricultural. Oppose good quality land subdivided into uneconomic/unsustainable blocks, adversely affecting pollution and rural amenity. 4ha block ownership between three to four years which is not viable for the future. Some 4ha blocks should be available for people who can manage a lifestyle block. Request smaller lifestyle blocks, both 4ha and smaller, near existing services, reducing multiple septic tanks and ground water contamination with resulting cleaner option especially consistent with three waters reform.)

¹⁴ FS105 Ecan support FS47 Hort NZ support FS118 Fulton Hogan support

¹⁵ FS41 Cowley oppose

414.199 ⁹	Federated Farmers	RLZ-O1	Amend RLZ-O1: "Primary production activities and activities reliant on the natural and physical resources, <u>including high class soils</u> ¹⁶ , of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone."
414.200 ¹⁷	Federated Farmers	RLZ-P1	Amend RLZ-P1: "4. A zone that supports the high class soils present, including LUC classes 1-3"
295.175	Hort NZ	RLZ-R2	Amend RLZ-R2 setbacks for carbon forests (Support RLZ-R2 enabling horticulture as a permitted activity but carbon forests remain in perpetuity. Oppose carbon forest as a permitted activity unless amended to safeguard the life supporting capacity of soils, including LUC 1, 2 and 3 soils.)
			Large Lot Residential Zone
8.1	Andrew McAllister	General	Rezone 1275 Tram Road, Swannanoa as Large Lot Residential Zone Overlay. (Rezone 1275 Tram Road, Swannanoa as Large Lot Residential Zone Overlay. Versatile soils is less valid as a reason to not include the site in the overlay as farming use has been limited by the Rural Lifestyle Zone provision for 4ha subdivision, and have resource consent for 4ha subdivision. Rezoning would support links to the school and preschool, and development is feasible in relation to flood hazards. Possible future purchase of land in Winter Road could allow for proposed development to extend Swannanoa Fields. The northern overlay involves multiple owners which makes it difficult. Would be willing to donate some land to the school to provide for growth. Evidence and background information has been included in attachments.)
30.1	Nicky Cassidy	General	Rezone the areas on the fringe, or within a certain distance from Residential Zones, from Rural Lifestyle Zone to Large Lot Residential Zone. It is a good option to consider for the area around the golf course. (Rezone 3.3681ha Marchmont Road property from Rural Lifestyle Zone (RLZ) to Large Lot Residential Zone (LLRZ) to allow subdivision. The eastern side of Golflinks Road has been rezoned to residential and this land is likely to be developed more intensely. Proposes a buffer zone between this development and current rural zoning. The size, soil quality, and specifics of the submitter's property are difficult for farming

¹⁶ High class soils is not a defined term in either the RPS or PDP.

¹⁷ FS47 Hort NZ support

			use and would not be of good value. Rezoning this, and similar properties from RLZ to LLRZ would allow for more market options, and drive interest in area.)
360.22 ¹⁸¹⁹	CCC	General	Amend General Objectives and Policies for all Rural Zones, Rural Lifestyle Zone and Large Lot Residential Zone objectives, policies and rules to protect the highly productive land/versatile soils from fragmentation and unsuitable 'primary production' activities such as forestry or quarrying.
295.119	Hort NZ	LLRZ-BSF7	Delete LLRZ-R36. (Oppose LLRZ-R36 due to failure to safeguard life supporting capacity of soils.)
			Subdivision
295.99 ²⁰	Hort NZ	General	Insert new policy SUB-PX: <u>"Within the Rural Zones and in urban areas with an interface with a rural zone ensure that subdivision does not compromise the use of highly productive land and versatile land for rural production."</u>
305.1	Marie Bax	General	Rezone 128 Baynons Road, Clarkville (Lot 3DP 36137) to Rural Lifestyle Zone for consistency with the surrounding properties. (Rezone 128 Baynons Road, Clarkville to Rural Lifestyle Zone (RLZ). The property's soil composition means commercial crop production is not financially viable. The land cannot sustain viable horticultural or agricultural activities. The property's primary use is intermittent grazing of cattle and horses with supplementary feed. ...128 Bayons Road should be within the RLZ as it does not meet the GRUZ requirements of supporting primary production as a standalone property.) <i>Note – the property is LUC Class 3 soils and is 46ha in area</i>
414.206 ²¹	Federated Farmers	SUD-O1	Amend SUB-O1(3): "3. supports protection of cultural and heritage values, <u>high class soils</u> and conservation values, and

¹⁸ FS105 ECan support

¹⁹ FS41 Cowley oppose

²⁰ FS83 Federated Farmers support, FS105 ECan support

²¹ FS41 Cowley oppose

414.207 414.208	Federated Farmers	SUB-P1 SUB-P2	Retain SUB-P1 & SUB-P2 as it does not require changes to implement submitter's request to acknowledge high class soil in Rural Lifestyle Zone and to enable smaller subdivision for areas with lesser productive soil.
192.82	Forest and Bird	Table SUB-S1	<p>Amend Table Sub 1 - Minimum Allotment Sizes:</p> <p>Raise the minimum lot size in Rural Lifestyle Zone or create smaller zones for smaller subdivisions such as the Rural Rangiora Zone or Rural Kaiapoi Zone etc., and increase size of General Rural Zone.</p> <p>(Unfortunate that opportunity to address widescale loss of productive soils is not addressed in the Rural Lifestyle Zone (RLZ) with minimum lot size at 4ha. This Zone encompasses an enormous amount of land. Council needs to address environmental issues from sprawl including loss of productive land, air pollution from increased traffic, increase in impervious structures, fracturing sensitive environments, loss of open space and increased flood risks.</p> <p>The zone is relatively flat and likely to be highly productive land of Land Use Capability 1 – 3, which is a valuable and limited resource. 4ha lots over a large potentially highly productive land does not appear to meet policies RURZ P-2(1), (2) and (3). The Ministry for Primary Industries document Valuing Highly Productive Land 2019 suggests Councils set minimum lot sizes on highly productive land that retains the land's productive capacity, noting that Christchurch City Council have more extensive minimum lot sizes where the minimum lot size for the Rural Waimakariri Zone is 20ha, 4ha for Rural Urban Fringe and Rural Templeton, 100ha for Rural Port Hills and 40-100ha for Rural Banks Peninsula. It is not integrated management to have 20ha on one side of the Waimakariri River and 4ha on the other side. The RLZ needs to be reduced, or increase minimum lot size to address ongoing loss and climate change.)</p>
281.1	Maurice Newell	SUB-S1	Allow applications that were lodged before notification. Map and protect good soils and allow subdivision of poorer soils. Provide large residential areas near similar zones. Price of land may mean people will buy larger blocks who know nothing about farming.
295.100 ²²	Hort NZ	SUB-MCD10	<p>Amend SUB-MCD10:</p> <p><u>"2. Potential reverse sensitivity effects with rural production on surrounding land.</u></p> <p><u>3. Loss of highly productive land or versatile soils from rural production."</u></p> <p>Or alternative relief to address the identified issue.</p>

²² FS83 Federated Farmers support

Note that the text appearing in brackets is the explanation associated with the relief sought comment. This has been included to help give context to the relief sought.

Appendix 2 Relevant PDP Objectives and Policies

General Objectives and Policies for all Rural Zones

RURZ-O2 Activities in Rural Zones

Rural Zones support primary production activities, activities which directly support primary production, and activities with a functional need to be located within Rural Zones.

RURZ-P2 Rural Land

Maintain the availability and life supporting capacity of land in recognition of its importance for undertaking primary production, and to maintain or enhance natural environment values in Rural Zones, including by:

1. providing for primary production activities;
2. providing for those activities that directly support primary production, or those activities with a functional need to be located within Rural Zones, where:
 - a. adverse effects on soil and highly productive land are minimised;
 - b. the amenity values and character of Rural Zones are maintained; and
 - c. to the extent practicable, adverse effects are internalised within the site where an activity is being undertaken.
3. ensuring subdivision and subsequent development is managed so that it does not foreclose the ability for rural land to be utilised for primary production activities including not diminishing the potential for rural land to meet the reasonably foreseeable needs of future generations.

RURZ-P6 Industrial activity

In relation to industrial activity:

2. limit the establishment of industrial activity (other than rural industry) to circumstances where:
 - c. the scale of the industrial activity is such that it will not affect the availability of highly productive land within the zone to be used for primary production, to the extent that the productive potential of rural land to meet the reasonably foreseeable needs to future generations is undermined; and

General Rural Zone

GRUZ-O1 Purpose of the General Rural Zone

Natural and physical resources and primary production activities which contribute to the District's rural productive economy dominate while fragmentation of land into small rural parcels is restricted.

GRUZ-P2 Limiting fragmentation of land

Maintain opportunities for land to be used for primary production activities within the zone by limiting further fragmentation of land in a manner that avoids sites being created, or residential units being erected, on sites that are less than 20ha, unless:

1. associated with the development of infrastructure which reduces the size of the balance lot or sites to below 20ha;
2. associated with the establishment of a bonus residential unit or creation of a bonus allotment;
3. the erection of a residential unit is protected by a legacy provision in this District Plan; and
4. it is for the establishment of a minor residential unit, where the site containing a residential unit is 20ha or greater, or is protected by a legacy provision in this District Plan.

Rural Lifestyle Zone

RZL-O1 Purpose of the Rural Lifestyle Zone

Primary production activities and activities reliant on the natural and physical resources of the rural environment occur while recognising that the predominant character is small rural sites with a more intensive pattern of land use and buildings than the General Rural Zone.

RLZ-P1 Character of the Rural Lifestyle Zone

Maintain the character in the Rural Lifestyle Zone which comprises:

3. a zone supporting activities reliant on the natural and physical resources of the Rural Lifestyle Zone.

RLZ-P2 Activities in the Rural Lifestyle Zone

Retain opportunities for land within the zone to be used for primary production activities while maintaining the predominant character of small rural lots by avoiding new sites being created, or residential units being erected on sites, that are less than 4ha, unless: